

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN

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In re:

Chapter 11

Archdiocese of Milwaukee,

Bankruptcy Case No. 11-20059-SVK

Debtor.

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Archdiocese of Milwaukee Catholic Cemetery  
Perpetual Care Trust on behalf of itself and its  
beneficiaries,

Adv. Proc. No. 11-02459-SVK

Plaintiff,

vs.

Official Committee of Unsecured Creditors,

Defendant.

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Official Committee of Unsecured Creditors,

Counterclaimant,

vs.

Archdiocese of Milwaukee Catholic Cemetery  
Perpetual Care Trust; and Archbishop Jerome E.  
Listecki, Archbishop of the Archdiocese of  
Milwaukee, in his capacity as sole Trustee of the  
Archdiocese of Milwaukee Catholic  
Cemetery Perpetual Care Trust,

Counterdefendants.

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**STIPULATION CONSENTING TO ISSUANCE OF FINAL ORDER BY BANKRUPTCY  
COURT AND ALLOWING PARTY DISCOVERY TO BE TAKEN OF THE DEBTOR**

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The Official Committee of Unsecured Creditors in the above-captioned bankruptcy case

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(the “Committee”), the Archdiocese of Milwaukee Catholic Cemetery Perpetual Care Trust (the “Trust”) and Archbishop Jerome E. Listecki, Archbishop of the Archdiocese of Milwaukee, in his capacity as sole Trustee of the Archdiocese of Milwaukee Catholic Cemetery Perpetual Care Trust and not as an individual, (“Archbishop Listecki”)<sup>1</sup> (collectively, the “Parties”), and the Archdiocese of Milwaukee (the “Debtor”) hereby stipulate and agree to the following:

1. The Parties and the Debtor agree that the Bankruptcy Court may hear and determine all claims for relief and affirmative defenses asserted in the Trust’s Complaint, the Committee’s Answer and Counterclaims and the Answer to Counterclaims by the Trust and Archbishop Listecki, filed in this adversary proceeding (the “Adversary”), pursuant to 28 U.S.C. section 157(b)(1) and subject to appellate review under 28 U.S.C. section 158.

2. The Debtor, although not a party to the Adversary, agrees to be subject to discovery by the Parties in this Adversary and to the rules of evidence, as if it were a party, pursuant to the Federal Rules of Bankruptcy Procedure and the Federal Rules of Evidence, the Local Bankruptcy Rules and any Bankruptcy Court orders relating to discovery in this Adversary. Nothing in the Stipulation shall entitle the Debtor to propound discovery requests on the Parties to this Adversary.

3. The Committee agrees that it will not object, solely on the grounds that the Debtor is not a party, to the Debtor filing: (i) motions relating to the Debtor’s discovery obligations; (ii) motions relating to the application of the rules of evidence to the Debtor; and

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<sup>1</sup> Archbishop Listecki is trustee by virtue of his position as Archbishop. Should a new archbishop be named during this litigation, the movants agree that the new archbishop be substituted as a party for Archbishop Listecki in the same capacity and not as an individual.

(iii) a response to a motion filed by either of the Parties. The Committee retains any and all rights it may have to object to the filing of any other pleadings, documents or papers by the Debtor on any basis.

Dated: November 16, 2011

Respectfully submitted,

PACHULSKI STANG ZIEHL & JONES LLP

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Dated November 16, 2011

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and

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Milwaukee, in his capacity as sole Trustee  
of the Archdiocese of Milwaukee Catholic  
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Dated: November 16, 2011

Respectfully submitted,

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